

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Charles J. Gundersen and  
Tracey A. Gundersen,

Civil 11-1939 MJD/FLN

Plaintiffs,

v.

O R D E R

Bank of America, N.A. and  
BAC Home Loans Servicing, LP,

Defendants.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated December 2, 2011, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Defendants' motion to dismiss Plaintiffs' complaint [Doc. #3] is GRANTED;
2. This action is DISMISSED with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: January 6, 2012.  
at Minneapolis, Minnesota

s/Michael J. Davis  
CHIEFJUDGE MICHAEL J. DAVIS  
United States District Court